**THE HON'BLE MR JUSTICE V.V.S.RAO**

**WRIT PETITION No.14863 of 2006**

**Dated:21.07.2006**

**Between:**

Cheeveti Atchiyyamma.

…Petitioner

and

The District Collector, Visakhapatnam Dist., and others.

…Respondents

**THE HON'BLE MR JUSTICE V.V.S.RAO**

**WRIT PETITION No.14863 of 2006**

**ORDER:**

The petitioner's father was allegedly assigned the land admeasuring Acs.2.18 cents in Survey No.18/5 situated at Madhurawada Village, Chinagadili Mandal, Visakhapatnam District. After the death of her father, she was cultivating the land. The petitioner alleges that when she came to know that the Officials of the Office of the second respondent are taking steps to evict her, she approached the Chief Commissioner of Land Administration, who appears to have directed the first respondent, vide fax message bearing reference No.B3/2590/2005, dated 29.12.2005, not to evict her. It is now alleged that in spite of the same, the second respondent has addressed a letter on 06.05.2006 to the first respondent proposing to resume the land in Survey No.18/5. Aggrieved by this, the present Writ Petition is filed.

This Court has heard the learned Counsel for the petitioner and the learned Assistant Government Pleader for Revenue (Assignment).

As rightly pointed out by the learned Assistant Government Pleader, the communication sent by the second respondent to the first respondent, by which a list of beneficiaries to whom house sites are to be allotted, cannot be challenged in a Writ Petition. How the petitioner was able to get a copy of the internal correspondence is not explained. In the impugned letter, the second respondent gave opinion that the land in Survey No.18/5 has to be resumed from Visakhapatnam Urban Development Authority (VUDA). This only shows that the allegation of the petitioner that the land in Survey No.18/5 was assigned to her father, is not correct. A perusal of the letter also would show that the land was assigned earlier and as there was violation of conditions of assignment, the land was handed over to VUDA on 18.07.2005. Without challenging the order by which the land was handed over to VUDA or assignment was cancelled, the petitioner cannot be permitted to challenge the letter of the Mandal Revenue Officer addressed to the District Collector. If the petitioner is in possession of the land, as alleged, and if any order is passed against her, the petitioner can as well seek redressal before the appropriate authority or Court.

This Writ Petition is misconceived and is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

21.07.2006
vs